

UNITED STATES DISTRICT COURT

for the
District of

WAKEEL Abdul-SABUR

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

WELLS FARGO BANK, N.A.

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

7:19cv0674
(to be filled in by the Clerk's Office)

Jury Trial: (check one)

☒ Yes ☐ No

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

OCT 07 2019

JULIA C. DUDLEY, CLERK
BY: A. Beeson
DEPUTY CLERK

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

WAKEEL Abdul-SABUR #1003659

Street Address

P.O. Box 1900

City and County

POUND (WISE COUNTY)

State and Zip Code

VIRGINIA 24279-1900

Telephone Number

(276) 796-7510

E-mail Address

Jpay.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint; whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name WELLS FARGO BANK, N.A.
Job or Title *(if known)* CORPORATION
Street Address 1 MONTGOMERY STREET, 2ND FL
City and County SAN FRANCISCO
State and Zip Code CALIFORNIA, 94104-4505
Telephone Number (866) 878-5865 OR (800) 869-3557 OR (866) 437-8549
E-mail Address *(if known)* http://www.wellsfargo.com

Defendant No. 2

Name _____
Job or Title *(if known)* _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address *(if known)* _____

Defendant No. 3

Name _____
Job or Title *(if known)* _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address *(if known)* _____

Defendant No. 4

Name _____
Job or Title *(if known)* _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address *(if known)* _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (*check all that apply*)

☒ Federal question

☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

MAIL FRAUD
IDENTITY THEFT
UNAUTHORIZED ACCOUNT
UNFAIR PRACTICES IN VIOLATION OF THE UNFAIR PRACTICES PROVISION OF SECTION (5) OF THE FTC ACT.
DUE PROCESS AND EQUAL PROTECTION OF LAW UNDER THE FOURTEENTH AMENDMENT.

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) WAKEEL ABDUL-SABUR, is a citizen of the State of (name) VIRGINIA.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) _____, is a citizen of the State of (name) _____. Or is a citizen of (foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) WELLS FARGO BANK, N.A., is incorporated under the laws of the State of (name) CALIFORNIA, and has its principal place of business in the State of (name) SOUTH DAKOTA.
Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because (explain):

**EACH CLAIM THE PLAINTIFF \$ 250,000 IN DAMAGES, REQUESTED.
COLLECTIVELY THE DEFENDANT OWES OVER ONE-MILLION
DOLLARS MINIMUM TO THE PLAINTIFF.**

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

I ATTEMPTED TO OPEN AN ACCOUNT WITH WACHOVIA BANK BY MAILING A \$50.00 MONEY ORDER WITH THE APPLICATION. SUBSEQUENTLY CUSTOMER SERVICE ADVISED ME THAT I SUBMITTED AN EXPIRED APPLICATION. CUSTOMER CORRESPONDENCE RETURNED MY MONEY. SUBSEQUENTLY A FEW WEEKS LATER I RECEIVE AN ACCOUNT STATEMENT IN MY NAME WITH OVER A QUARTER OF MILLION DOLLARS IN THE ACCOUNT. SEE ATTACHED PAGES (1-3)

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

THE UNAUTHORIZED ACCOUNT WAS OPENED BETWEEN 2011-2012, THE PERSONAL INFORMATION I PROVIDED ON THE EXPIRED WACHOVIA BANK APPLICATION WAS STOLEN BY CORPORATE EMPLOYEES, SEE ATTACHED PAGE (4)

STATEMENT OF CLAIM (CONTINUES)

I NEVER HAD AN ACTIVE ACCOUNT WITH WACHOVIA BANK,
THE PERSONAL INFORMATION I PROVIDED ON THE EXPIRED
WACHOVIA APPLICATION WAS USED BY WELLS FARGO TO;

(i) OPEN DEPOSIT ACCOUNTS, AND TRANSFERRING FUNDS
WITHOUT AUTHORIZATION.

(ii) WELLS FARGO COMMITTED MAIL FRAUD BY MAILING
THE PLAINTIFF A FRAUDULENT ACCOUNT STATEMENT
BY THE UNITED STATES POSTAL SERVICE INDICATING
THAT PLAINTIFF HAD \$250,000 OR MORE IN AN ACCOUNT
WITH THE BANK IN HIS NAME BETWEEN YEAR 2011-2012.

(iii) THE FRAUD, AND UNSOUND PRACTICES IN VIOLATION OF
THE UNFAIR PRACTICES PRONG OF SECTION (5) OF THE
FTC ACT, "FEDERAL TRADE COMMISSION" ACT CONTINUED
FOR YEARS UP TO PRESENT.

(iv) DURING THIS PERIOD, WELLS FARGO OPENED UNAUTHORIZED
ACCOUNTS IN PLAINTIFF'S NAME TO MEET AGGRESSIVE
SALES GOALS, EMPLOYEES WERE PAID MONETARY INCENTIVES
FROM THE FRAUD, AND UNFAIR PRACTICES AGAINST PLAINTIFF,

STATEMENT OF CLAIM (CONTD)

(V) WELLS FARGO KNEW ABOUT THE FRAUD, AND UNFAIR PRACTICES TOWARDS THE PLAINTIFF, BUT FAILED TO CORRECT THE DEFICIENCIES AND VIOLATIONS IN A TIMELY MANNER.

(VI) CUSTOMERS, AND EMPLOYEES MADE THE PROBLEMS KNOWN BUT WELLS FARGO CONTINUED ITS CONDUCT UNTIL THE FEDERAL GOVERNMENT HAD ENOUGH DUE TO SYSTEMIC PROBLEMS REGARDING THE QUALITY OF SERVICE FROM WELLS FARGO WHICH INVOLVED FRAUD, AND OTHER CRIMINAL ACTS.

(VII) EMPLOYEES OF WELLS FARGO WERE WRONGFULLY FIRED FOR TRYING TO RAISE AN ALARM ABOUT THE PROBLEMS THAT FREQUENTLY AFFECTED FRAUD VICTIMS, WHO OFTEN HAD LITTLE OR NO MONEY TO BEGIN WITH. WELL FARGO TARGETED ME, USED MY PERSONAL INFORMATION I PROVIDED ON AN EXPIRED WACHOVIA ACCOUNT APPLICATION TO CREATE A FRAUDULENT ACCOUNT.

(VIII) SUBSEQUENTLY MAILED A FRAUDULENT ACCOUNT STATEMENT TO ME AT WALLENBRIDGE STATE PRISON IN BIG STONE GAP VIRGINIA.

STATEMENT OF CLAIM (CONTD)

(IX) SEVERAL ATTEMPTS WERE MADE TO RESOLVE THESE ISSUES OVER THE YEARS. THE MOST RECENT COMPLAINTS FILED WITH THE OFFICE OF THE COMPTROLLER OF THE CURRENCY, "O.C.C.", CUSTOMER ASSISTANCE GROUP, CASE #'S 0321784, 03220087,

(X) WELLS FARGO CUSTOMER CORRESPONDENCE DEPARTMENT, CASE #'S 151603322, 152667971, AND 152289709.

(XI) THE PLAINTIFF WAS NOT SATISFIED WITH THE CUSTOMER CORRESPONDENCE DEPARTMENT'S RESPONSES, AND I WILL MOVE FORWARD WITH THIS CIVIL ACTION. THE INITIAL LETTER DATED AUGUST 28, 2019 PROMISED TRANSPARENCY, AND OPEN ABOUT WHAT THEY FIND, A MAKE THINGS RIGHT, AND MOST IMPORTANT TO HOLD THOSE LEADERS WHO ARE RESPONSIBLE ACCOUNTABLE FOR THEIR ACTIONS, SEE CASE #'S 151603322,

(XII) WELLS FARGO CONTINUES TO BE WITHHOLDING, AND UNTRUTHFUL WITH ITS VICTIMS REGARDING THIS MASSIVE FRAUD, AND MY PERSONAL INFORMATION REMAINS IN THEIR POSSESSION.

RELIEF REQUESTED

WELLS FARGO COMMITTED CRIMINAL ACTS AGAINST THE PLAINTIFF.

(i) AGGRAVATED IDENTITY THEFT

(ii) MAIL FRAUD

(iii) FRAUDULENT DEPOSITED \$250,000 OR MORE

AND CREATED A FRAUDULENT ACCOUNT IN

THE PLAINTIFF NAME. (UNAUTHORIZED)

(iv) DUE PROCESS AND EQUAL PROTECTION OF LAW

WELLS FARGO EMPLOYEES BENEFITTED FROM THE FRAUD

WITH MONETARY INCENTIVES BY MEETING AGGRESSIVE SALES GOALS.

WELLS FARGO HAD KNOWLEDGE OF THE UNETHICAL, AND

CRIMINAL BEHAVIOR AND FAILED TO CORRECT THESE

DEFICIENCIES, AND VIOLATIONS IN A TIMELY MANNER.

ALSO RESULTED IN VIOLATION OF THE UNFAIR PRACTICES PRONG OF SECTION (5) OF THE FTC ACT.

PLAINTIFF REQUEST: PUNITIVE AND EXEMPLARY DAMAGES IN

THE AMOUNT OF \$250,000 EACH CLAIM.

BECAUSE OF CRIMES WERE COMMITTED THE MAXIMUM

RESTITUTION PENALTY TOWARDS A VICTIM OF FRAUD IS \$250,000.

RELIEF REQUESTED (CONT'D)

TREBLE DAMAGES FOR EACH CLAIM IF THE HONORABLE COURT
DEEMS APPROPRIATE FOR EACH CLAIM.

COMPENSATORY DAMAGES FOR EACH CLAIM IN THE AMOUNT
OF: \$10,000 OR SPECIAL DAMAGES, \$10,000 \$400.00 FILING FEE

WELLS FARGO EMPLOYEES WERE GIVEN MONETARY PAYMENTS
TO MEET AGGRESSIVE SALES GOALS. THEY REACHED THOSE GOALS
BY COMMITTING FRAUD AND FTC VIOLATIONS.

THE PLAINTIFF'S PERSONAL INFORMATION WAS USED FOR FINANCIAL
GAIN,

THE PLAINTIFF ASK FOR THIS . . .

CERTIFICATE

UNDER PENALTY OF PERJURY OF PERJURY THE PLAINTIFF CERTIFIES
THAT ALL INFORMATION PROVIDED IN THIS CIVIL COMPLAINT
IS TRUE AND CORRECT.

15/ Wakeel Abdul-Sabur 9/22/19
WAKEEL ABDUL-SABUR #1003659
RED OXON STATE PRISON
PROTECTIVE CUSTODY UNIT
P.O. BOX 1900
POUND, VIRGINIA, 24279-1900

WAKEEL Abdull-SABUR#1003659
RED OXION STATE PRISON
P.O. Box 1900
Pound, VA. 24279-1900

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OCT 01 2019

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VA DOC HAS NEITHER CENSORED OR
INSPECTED THIS ITEM. THE DEPARTMENT
DOES NOT ASSUME ANY RESPONSIBILITY
FOR ITS CONTENTS

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